1 2 3 4 5 6 The Honorable Robert J. Bryan 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON AT TACOMA 9 LAWRENCE HARTFORD, et al., 10 NO. 3:23-cv-05364-RJB Plaintiffs, STIPULATION AND ORDER 11 REGARDING A CONTINUANCE 12 v. BOB FERGUSON, in his official capacity as 13 Washington State Attorney General, et al., 14 Defendants. 15 I. RECITALS 16 1. On January 24, 2024, the Ninth Circuit heard argument in Miller v. Bonta, Case 17 No. 23-2979, a case concerning the constitutionality of California's assault weapon restriction 18 statute. 19 2. Following argument, the Ninth Circuit decided to hold Miller in abeyance 20 pending the outcome of Duncan v. Bonta, Case No. 23-55805, a case concerning the 21 constitutionality of California's large-capacity magazine restriction statute. See DktEntry: 61.1, 22 Miller v. Bonta, Case No. 23-2979 (Jan. 26, 2024). Duncan will be heard by an en banc panel of 23 the Ninth Circuit in March 2024. 24 25 26

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1	3. Both <i>Miller</i> and <i>Duncan</i> are likely to have a significant impact on this case.
2	However, they are highly unlikely to be decided prior to the summary judgment deadline in this
3	case.
4	4. In order to give the Parties and this Court the benefit of the Ninth Circuit's
5	guidance in <i>Duncan</i> and <i>Miller</i> , the Parties seek to continue the deadlines in this case until after
6	the Ninth Circuit rules in <i>Miller</i> .
7	II. STIPULATION
8	The Parties, by and through their respective attorneys of record, hereby stipulate to the
9	following:
10	1. Responses to the State of Washington's outstanding discovery requests to
11	Plaintiffs, previously due February 12, 2024, shall now be due seven days after the Ninth Circuit
12	issues its opinion in <i>Miller v. Bonta</i> , Case No. 23-2979. Should the seven-day deadline fall on a
13	weekend or holiday, the deadline should be continued to the following court day.
14	2. The deadline for filing discovery motions of March 11 (ECF # 75) should be
15	continued until 21 days after the Ninth Circuit issues its opinion in <i>Miller v. Bonta</i> , Case No. 23-
16	2979. Should the 21-day deadline fall on a weekend or holiday, the deadline should be continued
17	to the following court day.
18	3. The discovery completion deadline of April 1 (ECF # 75) should be continued
19	until 45 days after the Ninth Circuit issues its opinion in <i>Miller v. Bonta</i> , Case No. 23-2979.
20	Should the 45-day deadline fall on a weekend or holiday, the deadline should be continued to
21	the following court day.
22	4. The dispositive motion deadline of April 30, 2024 (ECF #75) should be
23	continued until 75 days after the Ninth Circuit issues its opinion in <i>Miller v. Bonta</i> , Case No. 23-
24	2979. Should the 75-day deadline fall on a weekend or holiday, the deadline should be continued
25	to the following court day.
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1	5. Within three court days of such	ruling, the parties will notify the Court of the new
2	deadlines for discovery motions, discovery cor	mpletion, and dispositive motions.
3	6. The following case deadlines sl	nould be continued indefinitely: motion in limine
4	deadline (currently July 1, 2024), pretrial or	der deadline (currently July 12, 2024), pretrial
5	conference (currently July 18, 2024), and tria	l brief deadline (currently July 18, 2024). These
6	deadlines should be reset, if necessary, followi	ng this Court's ruling on summary judgment.
7	DATED this 14th day of February 2024	4.
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III. **ORDER** 1 Responses to the State of Washington's outstanding discovery requests to 1. 2 Plaintiffs, previously due February 12, 2024, shall now be due seven days after the Ninth Circuit 3 issues its opinion in Miller v. Bonta, Case No. 23-2979. Should the seven-day deadline fall on a 4 weekend or holiday, the deadline shall be continued to the following court day. 5 2. The deadline for filing discovery motions of March 11 (ECF #75) is hereby 6 continued until 21 days after the Ninth Circuit issues its opinion in *Miller v. Bonta*, Case No. 23-7 2979. Should the 21-day deadline fall on a weekend or holiday, the deadline shall be continued 8 to the following court day. 9 The discovery completion deadline of April 1, 2024 (ECF #75) is hereby 10 continued until 45 days after the Ninth Circuit issues its opinion in *Miller v. Bonta*, Case No. 23-11 2979. Should the 45-day deadline fall on a weekend or holiday, the deadline shall be continued 12 to the following court day. 13 4. The dispositive motion deadline of April 30, 2024 (ECF # 75) is hereby continued 14 until 75 days after the Ninth Circuit issues its opinion in Miller v. Bonta, Case No. 23-2979. 15 Should the 75-day deadline fall on a weekend or holiday, the deadline shall be continued to the 16 following court day. 17 Within three court days of such ruling, the Parties shall notify the Court of the 18 new deadlines for discovery motions, discovery completion, and dispositive motions. 19 6. The following case deadlines are hereby continued indefinitely: motion in limine 20 deadline (currently July 1, 2024), pretrial order deadline (currently July 12, 2024), pretrial 21 conference (currently July 18, 2024), and trial brief deadline (currently July 18, 2024). These 22 deadlines will be reset, if necessary, following this Court's ruling on summary judgment. 23 IT SO ORDERED. 24 25

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1	DATED this 14th day of February, 2024.
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4	ROBERT J. BRYAN United States District Judge
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